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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,615	07/28/2003	Melvin C. Maki	0145P34US01	4319

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EXAMINER	
SWARTHOUT, BRENT	
ART UNIT	**PAPER NUMBER**
2636	

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/627,615	MAKI ET AL.	
	Examiner	Art Unit	
	Brent A. Swarthout	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-10,12-15,17,18 and 20-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4-10,12-15,17-18 and 20-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2-11-05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The amendment filed 4-4-05 and 3-24-05 are objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: proposed amendments to paragraphs 18-20 in the amendment filed 4-4-05 and to paragraphs 11,18-20, 32 and 43 in the amendment filed 3-24-05 contain new matter.

Applicant is required to cancel the new matter in the reply to this Office Action. The subject matter above is not found in the originally filed specification. If applicant is attempting to clarify previously filed subject matter, this should be done in the amendment remarks section, otherwise the specific language that is proposed for entry should include a particular page and line number from the original specification to provide basis for entry.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

a. Claims 1,4,5,9,10,12-15,17 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akers in view of Hunt et al.

Akers discloses an intrusion detection system sensor array comprising a first plurality of sensors a1-a3 at a first node and a second plurality of sensors c1-c3 at a second node, and means for providing an alert responsive to the sensors (Fig. 9, abstract), except for specifically stating

that the sensor output includes a processor to process the received signals to generate an output.

Hunt discloses an intrusion detection system with plural sensors (Fig. 2) including processing means 26 and 22 for processing the received intrusion signals in order that an output can be displayed on display 42.

It would have been obvious to one of ordinary skill in the art to use processing means as suggested by Hunt in conjunction with a system as disclosed by Akers, in order that several sensor locations could have been quickly and accurately monitored from a central location.

Regarding claim 4, Akers teaches use of IR sensors (abstract).

Regarding claim 5, Akers discloses use of central distribution point 25 to sensors (Fig. 1).

Regarding claims 9-10, Akers teaches having sensor volumes slightly overlap. Choosing to have sensors abut instead would have been obvious, in order that it could have been determined exactly which volume segment an intruder was in.

Regarding claims 12 –14, 21-22, sensor volumes in Akers are distributed so as to provide adequate coverage over a given area (col. 11, lines 19-23).

3. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akers in view of Hunt et al. and Frederick.

Frederick teaches desirability of placing sensors for an intrusion detection system in a deformable cable 18. Choosing to encase the node into the flexible cable would have been obvious, in order to allow the cable to be rolled more easily to aid installation, the specific size of the sensor node not affecting its function.

It would have been obvious to use a flexible cable for sensors in a system as disclosed by Akers and Hunt in order to allow for ease of installation of the sensor system.

4. Claims 18,20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akers in view of Hunt et al. and Osako et al.

Osako discloses desirability of providing sensor sensitivity adjustment by calibration in an intrusion detection system (abstract).

It would have been obvious to use calibration of sensors as suggested by Osako in conjunction with intrusion sensors as disclosed by Akers and Hunt in order to allow adjustment of sensor sensitivity, in order to obtain accurate detection of intrusion for varying conditions.

5. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akers in view of Hunt et al., or Akers in view of Hunt et al. and Osako et al., either further in view of Harden et al.

Harden teaches desirability of utilizing non-volume intrusion sensors in conjunction with volume intrusion sensors such as ultrasonic or light sensors (col.5, lines 48-60).

It would have been obvious to use non-volume sensors along with volume sensors in a system as set forth by Akers and further in view of Hunt or Hunt and Osako, in order that intruders could have been detected while attempting to gain entry to an unauthorized area.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Smurlo, LaForge, Bjornholt and Tapp disclose intrusion sensor systems.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A. Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brent Swarthout

Brent A Swarthout
Examiner
Art Unit 2636

BRENT A. SWARTHOUT
PRIMARY EXAMINER